

PROPERTY TRANSACTIONS

Abstract

This report seeks approval to property transactions that have been provisionally agreed.

1 RECOMMENDATION

The Resources and Central Services Committee is recommended to note the completion of the property transactions approved under Director's delegated authority as detailed in appendices 1, 2 & 3, and to authorise the compensation claims in Appendix 4 to this report.

2 FINANCIAL IMPLICATIONS

Lease renewals will result in variations to the rental income/expenditure and the Open Market Disposal will result in a capital receipt for Angus Council. The Compensation Claims will be made from the Roads A92 budget.

3 HUMAN RIGHTS ACT IMPLICATIONS

There are no Human Rights Act implications specific to this report.

4 PROPERTY IMPLICATIONS

The properties listed will continue to be occupied at a revised rental level and the disposal will relieve the Council of a maintenance burden. Settlement of compensation claims will conclude the acquisition of the relevant plots of the A92.

5 CONSULTATION

The Chief Executive, the Director of Law and Administration and the Acting Director of Finance have been consulted in the preparation of this report.

APPENDICES

Appendix 1	Lease Renewals
Appendix 2	Rent Reviews
Appendix 3	Open Market Disposals
Appendix 4	Compensation Claims

BACKGROUND PAPERS

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing the above report.

APPENDIX 1		LEASE RENEWALS		
Item No		1	2	3
PROJECT/SCHEME				
<i>Relevant committee</i>		Housing	Social Work	Leisure Services
<i>Current use</i>		Day Centre	Shared Office	Ground for Clubhouse
<i>References</i>		7591/001	7796/L56	7333/RO2
PROPERTY				
<i>Description</i>		Day Centre	Shared Office	Ground for Clubhouse (283sq.m. or thereby)
<i>Address</i>		45 High Street Kirriemuir	Muirhead & Birkhill Millennium Hall	YeamanSt. Carnoustie
PARTIES				
<i>Landlord</i>		Angus Council	Millennium Hall Committee	Angus Council
<i>Tenant</i>		Age Concern	Angus Council	Carnoustie & District Friends of Guiding
CURRENT				
<i>Rent</i>		£ 2,000 p.a.	£ 1,000 p.a.	£ 125 p.a.
<i>Interest</i>		Tenancy	Tenancy	Tenancy
<i>Term</i>		5 years	5 years	5 years
<i>From</i>		01/05/00	01/10/00	15/05/96
<i>Rent review intervals</i>		None	None	None
<i>Period since rent set</i>		5 years	5 years	9 years
<i>Date of expiry</i>		30/04/05	30/09/05	14/05/05
PROPOSED				
<i>New rent</i>		£ 2,250 p.a.	£ 1,800 p.a.	£ 180 p.a.
<i>New interest</i>		Tenancy	Tenancy	Tenancy
<i>Term</i>		5 years	1 year	5 years
<i>From</i>		01/01/05	01/10/05	15/05/05
<i>Rent review intervals</i>		None	None	None
<i>Costs</i>		Each party to bear own legal expenses	Each party to bear own legal expenses	Each party to bear own legal expenses
CONDITIONS				
		Landlord - Wind & Watertight: Tenant-Internal Repairs.	Landlord- External Repairs: Tenant-Internal Repairs	Tenant – all repairs to building
		Right-to-break option by either party after 3 years	Licence Furnished	1 month notice required by both parties to terminate
REMARKS				
		Approved under Director's delegated authority	Approved under Director's delegated authority	Approved under Director's delegated authority

APPENDIX 1		LEASE RENEWALS		
Item No		4	5	6
PROJECT/SCHEME				
	<i>Relevant committee</i>	Leisure Services	Leisure Services	Resources & Central Services Hall
	<i>Current use</i>	Amenity Ground	Tennis Courts	Hall
	<i>References</i>	7338	7613/R01	7275/001
PROPERTY				
	<i>Description</i>	Picnic Area	Ground for Tennis Club	Brechin Mechanic's Institute
	<i>Address</i>	Easthaven	Kirriemuir Glebe	St. Mary Street, Brechin
PARTIES				
	<i>Landlord</i>	Easthaven Land Consortium	Church of Scotland General Trustees	Angus Council
	<i>Tenant</i>	Angus Council	Angus Council	Brechin Mechanic's Institute Trust
CURRENT				
	<i>Rent</i>	£ 230 p.a.	£ 185 p.a.	£1 p.a.
	<i>Interest</i>	Tenancy	Tenancy	Tenancy
	<i>Term</i>	21 years	3 years	8 years
	<i>From</i>	01/01/83	28/05/00	27/11/95
	<i>Rent review intervals</i>	3 years	None	None
	<i>Period since rent set</i>	7 years	11 years	10 years
	<i>Date of expiry</i>	31/12/05	27/05/03	26/11/05
PROPOSED				
	<i>New rent</i>	£ 1,100 p.a.	£ 200 p.a.	£1 p.a.
	<i>New interest</i>	Tenancy	Tenancy	Tenancy
	<i>Term</i>	21 years	10 years	20 years
	<i>From</i>	01/01/06	28/11/04	27/11/05
	<i>Rent review intervals</i>	3 years	None	None
	<i>Costs</i>	Each party to bear own legal expenses	Council to bear Landlord's reasonable legal expenses	Each party to bear own legal expenses
CONDITIONS				
		None	Pavilion to be re-built by Council and subjects sub-leased to Tennis Club	Trust to obtain building warrant to carry out improvements to toilets/kitchen and install lift
REMARKS				
		Approved under Director's delegated authority	Approved under Director's delegated authority	Approved under Director's delegated authority

APPENDIX 2

RENT REVIEWS

Item No	1	2	3
PROJECT <i>Relevant committee</i> <i>Current use</i>	7276 Infrastructure Car Park/Landscaping		
PROPERTY <i>Description</i> <i>Address</i> <i>Plan</i>	522 sq.m. or thereby St. Vigeans Glebe (part)		
PARTIES <i>Landlord</i> <i>Tenant</i>	Church of Scotland General Trustees Angus Council		
CURRENT <i>Rent</i> <i>Interest</i> <i>Term</i> <i>From</i> <i>Rent review intervals</i> <i>Period since rent set</i> <i>Date of rent review</i>	£ 10 p.a. Tenancy 99 years 01/01/06 5 years 5 years 01/01/06		
PROPOSED <i>New rent</i> <i>Costs</i>	£ 25 p.a. Each party to bear own legal expenses		
REMARKS	Approved under Director's delegated authority		

APPENDIX 3

OPEN MARKET DISPOSALS

Item No	1	2	3
BACKGROUND			
<i>Relevant committee</i>	7864 Resources & Central Services		
<i>Declared surplus</i>	Resources & Central Services 1437/04		
<i>Date</i>	2 December 2004		
PROPERTY			
<i>Description</i>	Land 256.6 sq.m. or thereby		
<i>Address</i>	Rear of Access Office 81 High Street Monifieth		
<i>Plan</i>	Yes		
TRANSACTION			
<i>Effective date</i>	ASAP		
OFFERS			
<i>Closing date</i>	16 September 2005		
<i>Number received</i>	1		
<i>Amounts of offers received</i>	£1,200		
RECOMMENDED			
<i>Amount</i>	£1,200		
OFFER			
<i>From</i>	Private individual		
CONDITIONS			
<i>Angus Council's</i>	To bear own legal expenses and negotiating fee		
<i>Purchaser's</i>	None		
REMARKS	Approved under Director's delegated authority		

APPENDIX 4

COMPENSATION CLAIMS

Item No	1	2	3
PROJECT/SCHEME	A92 Dundee to Arbroath	A92 Dundee to Arbroath	A92 Dundee to Arbroath
<i>Relevant committee</i>	Roads	Roads	Roads
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.
PROPERTY			
<i>Description</i>	Plot 312	Plots 125, 126, 342, 343, 516	Plots 85, 86, 87, 88, 90, 99, 603, 851 & 852
<i>Address</i>	Station Road, Barry	Mains Of Ravensby Farm, Carnoustie	Balhungie Farm Carnoustie
<i>Plan</i>			
CLAIM			
<i>Claimant</i>	Private individual	Private individual	Private individual
<i>Claimant's interest</i>	Owner	Owner	Owner
<i>Claim for</i>	Compensation for Land taken	Compensation for land taken	Compensation for land taken
<i>Relevant date</i>	30 June 2003	31 March 2003	31 March 2003
COMPENSATION	£16,500	£20,104	£10,363
<i>Accommodation works</i>	Angus Council	Angus Council	Angus Council
<i>Legal costs</i>	Angus Council	Angus Council	Angus Council
<i>Surveyors' costs</i>	Angus Council	Angus Council	Angus Council
<i>Final settlement</i>	Yes	Yes	Yes
REMARKS	-	Advance payment of £52,896 paid on 10 October 2003	Advance payment of £8,397 paid on 27 August 2003

APPENDIX 4

COMPENSATION CLAIMS

Item No	4	5	6
PROJECT/SCHEME	A92 Dundee/Arbroath	A92 Dundee Road	A92 Dundee Road
<i>Relevant committee</i>	Roads	Roads	Roads
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.
PROPERTY			
<i>Description</i>	Plot 123	Plots 182, 183, 184, 651, 655	Plots 144, 145, 149, 150, 151, 152, 621, 622, 625, 627, 630, 635
<i>Address</i>	Grange of Barry Farm, Monifieth	West Scryne Farm, Arbroath	
CLAIM			
<i>Claimant</i>	Private individual	Private individual	Panmure Farming Company Owner
<i>Claimant's interest</i>	Owner	Owner	Owner
<i>Claim for</i>	Compensation for Land taken	Compensation for land taken	Compensation for land taken
<i>Relevant date</i>	31 March 2003	1 July 2003	30 June 2003
COMPENSATION	£ 28,811	£ 9,453	£ 12,600
<i>Accommodation works</i>	Angus Council	Angus Council	Angus Council
<i>Legal costs</i>	Angus Council	Angus Council	Angus Council
<i>Surveyors' costs</i>	Angus Council	Angus Council	Angus Council
<i>Final settlement</i>	Yes	Yes	Yes
REMARKS	Advance payment of £12,429 paid on 27 August 2003	Advance payment of £30,547 paid on 9 October 2003	Advance payment of £23,400 paid on 18 October 2003

Item No	7	8	9
PROJECT/SCHEME	A92 Dundee-Arbroath	A92 Dundee-Arbroath	A92 Dundee - Arbroath
<i>Relevant committee</i>	Roads	Roads	Roads
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.
PROPERTY			
<i>Description</i>	Plots 284, 285, 578, 700	Plots 281, 282, 283, 701	Plots 286, 287, 702
<i>Address</i>	Balcathie Farm, Arbroath	Balcathie Farm, Arbroath	Balcathie Farm, Arbroath
CLAIM			
<i>Claimant</i>	Balcathie Farms Limited	Private individual	Private individual
<i>Claimant's interest</i>	Owner	Owner	Owner
<i>Claim for</i>	Compensation for Land taken	Compensation for land taken	Compensation for land taken
<i>Relevant date</i>	31 March 2003	31 March 2003	31 March 2003
COMPENSATION	£ 2,311	£ 6,107	£ 3,135
<i>Accommodation works</i>	Angus Council	Angus Council	Angus Council
<i>Legal costs</i>	Angus Council	Angus Council	Angus Council
<i>Surveyors' costs</i>	Angus Council	Angus Council	Angus Council
<i>Final settlement</i>	Yes	Yes	Yes
REMARKS	Advance payment of £4,689 paid on 20 August 2003	Advance payment of £21,875 paid on 26 August 2003	Advance payment of £10,865 paid on 14 August 2003

Item No	10	11	12
PROJECT/SCHEME	A92 Dundee - Arbroath	A92 Dundee- Arbroath	A92 Dundee/Arbroath
<i>Relevant committee</i>	Roads	Roads	Roads
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.
PROPERTY			
<i>Description</i>	Plots 143, 505, 629	Plots 141, 142, 155, 623	Plot 850
<i>Address</i>	Balmachie Farm, Carnoustie	Balmachie Farm, Carnoustie	Crookhill Cottage, Upper Victoria, by Carnoustie
CLAIM			
<i>Claimant</i>	Messrs. J.F. Lascelles	Private individual	Private individual
<i>Claimant's interest</i>	Owner	Owner	Owner
<i>Claim for</i>	Compensation for Land taken	Compensation for land taken	Compensation for land taken
<i>Relevant date</i>	30 June 2003	30 June 2003	31 March 2003
COMPENSATION	£ 2,973	£ 2,322	£ 2,500
<i>Accommodation works</i>	Angus Council	Angus Council	Angus Council
<i>Legal costs</i>	Angus Council	Angus Council	Angus Council
<i>Surveyors' costs</i>	Angus Council	Angus Council	Angus Council
<i>Final settlement</i>	Yes	Yes	Yes
REMARKS	Advance payment of £14,027 paid on 6 February 2004	Advance payment of £ 8,698 paid on 6 February 2004	-

Item No	13	14	15
PROJECT/SCHEME	A92 Dundee-Arbroath	A92 Dundee-Arbroath	A92 Dundee- Arbroath
<i>Relevant committee</i>	Roads	Roads	Roads
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.	A92 Dundee to Arbroath C.P.O.
PROPERTY			
<i>Description</i>	Plots 146, 147, 154, 637, 639, 648, 865, 882, 883	Plot 124	Plots 26 & 47
<i>Address</i>	Auchrennie Farm, Carnoustie	New Downie Farm, Carnoustie	North Grange, Monifieth
CLAIM			
<i>Claimant</i>	Private individual	Private individual	Wimpey Homes Ltd.
<i>Claimant's interest</i>	Owner	Owner	Owner
<i>Claim for</i>	Compensation for Land taken	Compensation for land taken	Compensation for land taken
<i>Relevant date</i>	30 June 2003	31 March 2003	30 June 2003
COMPENSATION	£ 24,730	£ 6,737	£ 37,432.36
<i>Accommodation works</i>	Angus Council	Angus Council	Angus Council
<i>Legal costs</i>	Angus Council	Angus Council	Angus Council
<i>Surveyors' costs</i>	Angus Council	Angus Council	Angus Council
<i>Final settlement</i>	Yes	Yes	Yes
REMARKS	Advance payment of £35,270 paid on 30 September 2003	Advance payment of £8,263 paid on 22 October 2003	-

APPENDIX 4		COMPENSATION CLAIMS	
Item No	16		
PROJECT/SCHEME	A92 Dundee-Arbroath		
<i>Relevant committee</i>	Roads		
<i>Statutory power</i>	A92 Dundee to Arbroath C.P.O.		
PROPERTY			
<i>Description</i>	Plot 38		
<i>Address</i>	Newbigging, Monifieth		
CLAIM			
<i>Claimant</i>	Wimpey Homes Ltd.		
<i>Claimant's interest</i>	Owner		
<i>Claim for</i>	Compensation for Land taken		
<i>Relevant date</i>	30 June 2003		
COMPENSATION	£ 806.70		
<i>Accommodation works</i>	Angus Council		
<i>Legal costs</i>	Angus Council		
<i>Surveyors' costs</i>	Angus Council		
<i>Final settlement</i>	Yes		
REMARKS	Land in Dundee Section of Road		



Subject: Proposed Disposal		Address: Ground Access Office, High Street, Monifieth	
Date: 10/11/05 Drawing No: AWM/77/05	Scale: 1:1,000	Property Services Department Ravenswood, New Road, Forfar, DD8 2ZG Tel: 01307 461460	